

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

ALAN B. MARCUS, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

J.C. PENNEY COMPANY, INC.,  
MYRON E. ULLMAN, III, and  
KENNETH H. HANNAH,

Defendants.

**Civil Action No. 6:13-cv-00736-KNM**

ERHAN ERDEM, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

J.C. PENNEY COMPANY, INC.,  
MYRON E. ULLMAN, III, and  
KENNETH H. HANNAH,

Defendants.

**Civil Action No. 6:13-cv-00750-KNM**

BRUCE MURPHY, Individually and on  
Behalf of All Others Similarly Situated,

Plaintiff,

v.

J.C. PENNEY COMPANY, INC.,  
MYRON E. ULLMAN, III, KENNETH H.  
HANNAH, and WILLIAM ACKMAN,

Defendants.

**Civil Action No. 6:13-cv-00800-KNM**

(caption continued on next page)

SHAWN GILBERT, Individually and on Behalf of All Others Similarly Situated,

Plaintiff,

v.

J.C. PENNEY COMPANY, INC.,  
MYRON E. ULLMAN, III, and  
KENNETH H. HANNAH,

Defendants.

**Civil Action No. 6:13-cv-00810-KNM**

**[PROPOSED] ORDER APPOINTING LEAD PLAINTIFF AND APPROVING PROPOSED LEAD PLAINTIFF'S CHOICE OF COUNSEL**

**WHEREAS**, the Court, having considered The Motion Of The J.C. Penney Investor Group To Be Appointed Lead Plaintiff And To Approve Proposed Lead Plaintiff's Choice Of Counsel (the "Motion"), all papers in support thereof and in opposition thereto, and oral argument, if any, and good cause appearing therefor:

1. The Motion is hereby granted;
2. Cavanaugh Webb and Jeanette Zohar Stavropoulos (collectively, the "J.C. Penney Investor Group") are hereby appointed Lead Plaintiff for the Class pursuant to Section 21D(a)(3)(B) of the Securities Exchange Act of 1934, 15 U.S.C. §78u-4(a)(3)(B), as amended by Section 101(b) of the Private Securities Litigation Reform Act of 1995; and
4. The law firm of Brower Piven, A Professional Corporation, is hereby appointed as Lead Counsel for the Class and the law firm of Puls & Liebrecht, P.C. is hereby appointed as Liaison Counsel for the Class.

**IT IS SO ORDERED.**